



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

Timothy Williams
Chairperson
Fort Mojave Indian Tribe
500 Merriman Avenue
Needles, California 92363

MAY 22 2015

UPDATE RE: U.S. EPA Indian Environmental General Assistance Program
GA-00T89501-3
Application Due: *May 27, 2015*

Dear Chairperson Williams:

I am pleased to inform you that your proposal submitted to this office under the U.S. Environmental Protection Agency's Indian Environmental General Assistance Program (GAP) has been tentatively approved for funding. At this time, I am setting aside \$64,000 of funding to support your GAP for one year. An additional \$1,000 has been tentatively set aside for supplemental activities as follows: \$1,000 for additional travel of new Environmental Operations Manager. The total tentative award for your GAP is \$65,000.

Also, in a separate budget and work plan, please include \$16,641 for the addition of the Public Health Preparedness Coordinator as supplemental funding for your program. If additional GAP funds become available and your requests are approved, some or all of your supplemental requests may be awarded.

The Tribe's interim FFRs and/or EPA grant reimbursement data have been reviewed. EPA has determined that the Fort Mojave Indian Tribe has unliquidated obligations under the current grant. According to the FY14 interim FFR, the Tribe has approximately \$16,000 of GAP funds left in their grant as of September 30, 2014. This balance, along with the \$81,641 of new tentative GAP funding outlined in the previous paragraph, will provide the Tribe with \$97,641 to support GAP workplan activities from October 1, 2015 through September 30, 2016. Although your SF-424 Budget Summary should reflect only the \$81,641 of new tentative funding to the Tribe, please prepare a budget breakdown showing how the entire \$97,641 will be utilized. To avoid confusion with how much new funding the Tribe will be receiving, please ensure the budget breakdown is not provided on a SF-424 form. A sample budget breakdown, showing how new funds and unspent grant funds should be combined into a single budget breakdown, is provided in the attachment entitled "Work Plan Comments."

Work plan submission, negotiation, and approval will be conducted electronically in GAP Online. The comments attached here for your reference are also available in GAP Online. If we receive your complete application and an **approvable** revised work plan by the due date we will make every effort to award the grant by September 30, 2015. This funding will support work plan activities **from October 1, 2015 to September 30, 2016**. Please do not incur any costs under this work plan until the official grant award document has been signed and dated by the EPA Award Official. Any costs incurred before the date of award will not be reimbursed.

This letter does not constitute a grant award. In order to receive funding, the Fort Mojave Indian Tribe will need to complete an Application for Federal Assistance (SF-424). **The complete application, including an approvable work plan, must be submitted for EPA review by the due date indicated above.** Materials can be submitted earlier and will be processed on a first-come, first-served basis. Please note that in completing your application, you will need to enter the GAP Catalog of Federal Domestic Assistance Number (CFDA), required in box #11 on the SF-424A application form, 66.926.

New Process for Submitting Your GAP Grant Application

Effective February 17, 2015, EPA grant applicants **must** use Grants.gov to submit their applications. The Grants.gov registration process can take up to 30 days to complete. Therefore, it is highly recommended that EPA applicants complete their registration on Grants.gov now. Also, your organization's registration in SAM.gov must be active to utilize Grants.gov. If it appears that the grants.gov registration process may prevent you from submitting your application by the due date aforementioned, then please contact Support@grants.gov or call 1-800-518-4726 as support is available 24 hours a day and 7 days a week. You should also notify your Project Officer before the application due date to request an extension.

Please review both Attachment 2 (Grants.gov Instructions Guide) and Attachment 3 (Region 9 Guidance Information for Applicants) or go to <http://www.epa.gov/region9/funding/information.html> to find additional resources on Grants.gov, Federal Regulations, and new EPA requirements. We suggest you forward these materials to your Project Manager, Financial Officer and any other personnel in your organization requiring this information.

I look forward to working with you and your staff under the General Assistance Program. Questions regarding the completion of the application forms as well as the mandatory use of grants.gov should be referred to Vernese Gholson, Grants Management Specialist, at (415) 947-4200. You can also contact your GAP Project Officer, Destinee Cooper at (415) 972-3790 if you have questions regarding this letter, the work plan or the General Assistance Program.

Sincerely,



Laura M. Ebbert
Manager
Tribal Section

Enclosures

1. Work Plan Comments
2. Grants.gov Instructions Guide
3. Region 9 Guidance Information for Applicants

cc: Luke Johnson, Environmental Director (with work plan comments)

GAP 2015-2016 Work Plan Comments Fort Mojave Indian Tribe

Thank you for developing an outcome-oriented work plan. The following observations and requests were written with the intent of strengthening the Tribe's GAP work plan, identifying possible assistance, and ensuring the work plan meets GAP guidelines. These comments pertain to the 2015-2016 work plan that was submitted with your GAP proposal in GAP Online in December 2014. Please ensure that these comments are addressed in your final GAP work plan in GAP Online.

General Definitions and References

1. The following references are useful for understanding GAP in general, for getting an understanding for environmental outcomes, etc.
2013 Guidance on the Award and Management of General Assistance Program Agreements and Appendix I, Guidebook for Building Tribal Environmental Program Capacity
<http://www.epa.gov/region9/funding/pdfs/tribal-gap/r9-gap-guidance.pdf>
GAP Act (<http://www.epa.gov/Indian/pdfs/4368b.pdf>)
2015 GAP Grant Notification (<http://www.epa.gov/region09/funding/tribal-gap.html>)
EPA Strategic Plan (<http://www2.epa.gov/planandbudget/strategicplan>)
2. Environmental outcomes should be expressed in terms of improvements to public health, the environment, or human behavior. They can also reflect improved tribal capacity to protect public health or the environment. Intermediate outcomes could reflect: a) improved human health or environmental conditions, b) reduced risks to human health or the environment, c) increased tribal capabilities in legal, enforcement, technical, communication, or administrative areas. Long-term outcomes could include attainment of desired environmental conditions (e.g., water quality standards are met) or human health goals, attainment of a desired capacity to plan, develop, implement, manage and sustain tribal environmental programs.
3. Please write out all indicators within the Measures section of the components. A suite of indicators that the Tribe may consider for inclusion in its work plan is contained in Appendix I of the GAP Guidebook.
4. Please correct any typographic errors in your work plan. Please note that GAP Online does not accept special punctuation or characters including quotation marks, apostrophes, semicolons, or parenthesis.
5. Greening Grants Policy: EPA Region 9 has adopted a Greening Grants Policy which encourages grantees to carry out their EPA grant funded projects in a greener way. Your Project Officer will work with you to determine whether it is feasible to incorporate green practices into your work plan. The Greening Grants Policy includes an attachment which describes many useful green practices. The policy furthers the objectives of EPA's 2011-15 Strategic Plan. The link to Greening Grant Policy is on the Region 9 Website Homepage, <http://www.epa.gov/region9/funding/greening-grants.html>

6. Regarding Indirect Costs:

For Fixed/Carry forward Tribal IDC rates:

- EPA may allow IDC costs to be budgeted for grants when indirect costs rates have been approved within the preceding three fiscal years. When IDC rates are not current at the time of the grant award, a term and condition will be used to require the Tribe to notify EPA and refund any overfunded amounts.

BUDGET COMMENTS

Please amend the detailed budget to reflect the approved total. This includes \$65,000 of new funding, \$16,641 of supplemental funding, and \$16,000 of unobligated funds.

Please note that the Tribe's IDC was specifically approved for FY16 and should not be negotiated away from this line item.

Earth Day environmental education supplies listed in the supplies section of the budget could mean the purchase of promotional items. If promotional items are to be purchased, please list what types will be purchased, the quantity and the cost.

Please note that the Tribe was approved for \$4,000 of travel funds, which includes the additional \$1,000 of travel funds due to a new Environmental Operations Manager.

Please note that the \$1,200 for an Earth Day dumpster rental was not approved as the Tribe does not have an approved Integrated Solid Waste Management Plan (ISWMP). Such expenditures will be considered after the ISWMP is tribally approved.

WORK PLAN COMMENTS

Throughout the work plan, Commitment End Dates are identified as 9/30/2016. Commitment End Dates should reflect the actual expected completion date of the Commitment, and should not all reflect the end of the grant year.

The budget requests renting a dumpster for a dumpsite clean-up. However, this budget line item is not supported in the workplan, and was not approved. Please note that the Region 9 GAP solicitation specifies that the development of an Integrated Solid Waste Management Plan (ISWMP) should be one of the first steps taken in program development. Our records show that the Tribe does not have an ISWMP, a crucial component to a healthy program. Prior to undertaking solid waste activities, the Tribe should develop an ISWMP. If an ISWMP will be developed under this grant, deliverables must include a copy of the final document signed or approved by the Tribal Council. A critical first step in the creation of a sustainable waste management program is the development of an ISWMP, which helps identify and organize waste management priorities for the Tribe. An ISWMP will also assist in determining the size and structure of a solid waste management program, as well as equipment and facility needs. The Region 9 Tribal Solid Waste Team is available to provide technical assistance and a comprehensive review during development of the ISWMP. The Team also has helpful ISWMP templates available by request and examples available online. It is strongly recommended that the Tribe submit a draft ISWMP to the Tribal Solid Waste Team for review and comment at least 2 months before final approval. During this review, the Tribal Solid Waste Team can work with the Tribe in developing an ISWMP that meets the Tribe's needs.

Component 1: Management of Environmental Office

Joint Evaluation: Portions of a Joint Evaluation process are missing. Please see Attachment F from the notification to ensure that the work plan contains a process in which EPA and the Tribe together evaluate the successes of the Tribe under GAP. The attachment can be found at:

<http://www.epa.gov/region9/funding/pdfs/tribal-gap/fy2015-r9-gap-notification-attach-d-workplan-quarterly-report.pdf>

Component 2: Building a Tribal Ambient and Indoor Air Quality Capacities

The cost of this component seems high. Please provide additional information to support the anticipated component cost.

Please define “CCA” in the component’s outcomes.

2.1 and 2.2: Please describe where this work will be completed.

Component 3: Building Tribal Contaminated Site Remediation and Emergency Response Capabilities

3.1: Please describe when and where this training is anticipated.

Component 4: Solid Waste

The cost of this component seems high. Please provide additional information to support the anticipated component cost.

Component 5: Underground Storage Tank Capacity

The cost of this component seems high. Please provide additional information to support the anticipated component cost.

Unliquidated Obligation Budget Breakdown Sample

This example is where we are requesting the Tribe to rebudget carryover from prior periods into Year Four of a four-year GAP grant.

	FY12		FY13		FY14		FY15	
	Initially Awarded	Actual Budget*	Initially Awarded	Actual Budget*	Initially Awarded	Projected Utilization	New Funding	Unliquidated Obligation Funding
Personnel	\$ 35,000	\$ 21,000	\$ 37,000	\$ 25,900	\$ 37,000	\$ 37,000		\$ 36,650
Fringe	\$ 10,000	\$ 6,000	\$ 10,500	\$ 7,350	\$ 10,500	\$ 10,500		\$ 10,340
Travel	\$ 5,000	\$ 1,400	\$ 5,000	\$ 3,600	\$ 5,000	\$ 5,000	\$ 5,000	
Equipment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
Supplies	\$ 3,000	\$ 1,000	\$ 2,800	\$ 1,960	\$ 3,000	\$ 3,000	\$ 3,000	
Contractual	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
Other	\$ 10,000	\$ 5,000	\$ 9,000	\$ 7,100	\$ 10,000	\$ 10,000	\$ 10,000	
Subtotal	\$ 63,000	\$ 34,400	\$ 64,300	\$ 45,910	\$ 65,500	\$ 65,500	\$ 18,000	\$ 46,990
Indirect	\$ 15,750	\$ 8,600	\$ 16,075	\$ 11,478	\$ 16,375	\$ 16,375	\$ 4,500	\$ 11,748
Total	\$ 78,750	\$ 43,000	\$ 80,375	\$ 57,388	\$ 81,875	\$ 81,875	\$ 22,500	\$ 58,738
Unliquidated Obligation		\$ 35,750		\$ 22,988		\$ -		

*Revised budgets reflect actual expenditures, as shown on Federal Financial Reports submitted by the Tribe.

EPA Region 9 - Grants.gov Instructions Guide

(March 2015)

Applications for Federal assistance must be submitted through Grants.gov.

Register with Grants.gov! In order to submit your application using Grants.gov, your organization must be registered with Grants.gov. Please allow four weeks to complete the registration process. Also, please note that you must have a DUNS number and an active SAM.gov registration before registering with Grants.gov. You can find more information about registering at:

<http://www.grants.gov/web/grants/applicants/organization-registration.html>

To Access and Download Grant Application Package go to:

<http://www.grants.gov/web/grants/applicants/download-application-package.html>

1. Funding Opportunity Number (FON).

- A. Competitive Programs: Refer to the competitive solicitation for the applicable FON. Applicant will enter this into the "Funding Opportunity Number" field to locate the application package.
- B. Non-Competitive Discretionary Programs: Obtain FON from your EPA Point of Contact (POC). Applicant will enter this into the "Funding Opportunity Number" field to locate the application package.
- C. Continuing Environmental Programs (CEPs): The list of available CFDA numbers for CEPs have been divided between two FONs. The two FONs used to access the application packages are **EPA-CEP-01** and **EPA-CEP-02**. Refer to the following Attachment to determine which FON your CFDA is published under. Applicant will enter this into the "Funding Opportunity Number" field to locate the packages.

The screenshot shows a web form with three input fields and a button. The first field is labeled 'CFDA Number:' and has a '#' character to its right. The second field is labeled 'Funding Opportunity Number:' and has a '(C)' character to its right. The third field is labeled 'Funding Opportunity Competition ID:' and has a '(C)' character to its right. An arrow points to the second field. Below the fields is a button labeled 'Download Package'.

- 2. **Download the package** associated with CFDA 66.XXX.
- 3. **Complete the Grant Application Package.** Attach the forms and information required by your particular program. **Contact your EPA POC if you have questions about which forms and materials you must submit for your program.**
- 4. **Submit your application.** Go to <http://www.grants.gov/web/grants/applicants/apply-for-grants.html> for more information on this process.
- 5. **Confirm with your EPA POC** that EPA has received your application package. **If for ANY reason you cannot submit your application by the deadline specified, contact your EPA POC immediately.**

For FAQs, User Guides, Checklists, Training and Technical Support, visit the Grants.gov Applicant Resource page at <http://www.grants.gov/web/grants/applicants/applicant-resources.html>

Technical Questions or Issues? Please call (1-800-518-4726) or email (support@grants.gov) the Grants.gov Contact Center (<http://www.grants.gov/web/grants/about/contact-us.html>). Help is available 24 hours a day, 7 days a week.

Grants.gov Instructions Guide

Continuing Environmental Programs (CEPs)

(EPA Mandatory Grant Programs)

ATTACHMENT

CFDAs Under EPA-CEP-01

66.001	Air Pollution Control Program Support
66.032	State Indoor Radon Grants
66.034	Surveys, Studies, Research, Investigations, Demonstrations, and Special Purpose Activities Relating to the Clean Air Act
66.038	Training, Investigations, and Special Purpose Activities of Federally-Recognized Indian Tribes Consistent With the Clean Air Act (CAA), Tribal Sovereignty and the Protection and Management of Air Quality
66.040	State Clean Diesel Grant Program This program contains Recovery Act funding.
66.042	Temporally Integrated Monitoring of Ecosystems (TIME) and Long-Term Monitoring (LTM) Program
66.121	Puget Sound Protection and Restoration: Tribal Implementation Assistance Program
66.124	Coastal Wetlands Planning Protection and Restoration Act
66.125	Lake Pontchartrain Basin Restoration Program (PRP)
66.202	Congressionally Mandated Projects
66.418	Construction Grants for Wastewater Treatment Works This program contains Recovery Act funding.
66.419	Water Pollution Control State, Interstate, and Tribal Program Support
66.432	State Public Water System Supervision
66.433	State Underground Water Source Protection
66.437	Long Island Sound Program
66.454	Water Quality Management Planning This program contains Recovery Act funding.
66.456	National Estuary Program
66.458	Capitalization Grants for Clean Water State Revolving Funds This program contains Recovery Act funding.
66.460	Nonpoint Source Implementation Grants
66.466	Chesapeake Bay Program
66.468	Capitalization Grants for Drinking Water State Revolving Funds This program contains Recovery Act funding.
66.469	Great Lakes Program
66.472	Beach Monitoring and Notification Program Implementation Grants
66.473	Direct Implementation Tribal Cooperative Agreements
66.481	Lake Champlain Basin Program
66.482	Disaster Relief Appropriations Act (DRAA) Hurricane Sandy Capitalization Grants For Clean Water State Revolving Funds
66.483	Disaster Relief Appropriations Act (DRAA) Hurricane Sandy Capitalization Grants for Drinking Water State Revolving Funds
66.508	Senior Environmental Employment Program This program contains Recovery Act funding.
66.517	Regional Applied Research Efforts (RARE)
66.518	State Senior Environmental Employment Program
66.600	Environmental Protection Consolidated Grants for the Insular Areas - Program Support
66.605	Performance Partnership Grants

CFDAs Under EPA-CEP-02

66.700	Consolidated Pesticide Enforcement Cooperative Agreements
66.701	Toxic Substances Compliance Monitoring Cooperative Agreements
66.707	TSCA Title IV State Lead Grants Certification of Lead-Based Paint Professionals
66.714	Regional Agricultural IPM Grants
66.801	Hazardous Waste Management State Program Support
66.802	Superfund State, Political Subdivision, and Indian Tribe Site-Specific Cooperative Agreements This program contains Recovery Act funding.
66.804	Underground Storage Tank Prevention, Detection and Compliance Program
66.805	Leaking Underground Storage Tank Trust Fund Corrective Action Program This program contains Recovery Act funding.
66.808	Solid Waste Management Assistance Grants
66.809	Superfund State and Indian Tribe Core Program Cooperative Agreements
66.817	State and Tribal Response Program Grants
66.819	Disaster Relief Appropriations Act (DRAA) Hurricane Sandy Leaking Underground Storage Tank Trust Fund Corrective Action Program
66.926	Indian Environmental General Assistance Program (GAP)
66.931	International Financial Assistance Projects Sponsored by the Office of International and Tribal Affairs

ATTACHMENT
Region 9 Guidance Information for Applicants
<http://www.epa.gov/region9/funding/information.html>

- **Omni-Circular under 2 CFR 200 & EPA Regulations under 2 CFR 1500:**

EPA has officially adopted the OMB Omni-Circular effective **December 26, 2014**. Specifically, in a **joint interim final rule** published in the Federal Register on December 19, 2014 (see 79 Fed. Reg. 76050-76063), EPA adopted the Omni-Circular. This includes adoption of Omni-Circular requirements located at **2 CFR 200** along with EPA-specific provisions mandated by statute, regulation or agency policy now codified under **2 CFR 1500**. OMB's website at **<https://cfo.gov/cofar/>** is the location for resources regarding the Omni-Circular, including **OMB's Frequently Asked Questions (FAQ)**.

Federal Register:

<http://www.gpo.gov/fdsys/pkg/FR-2014-12-19/pdf/2014-28697.pdf>

2 CFR 200:

<http://www.ecfr.gov/cgi-bin/text-idx?SID=4467ef7edf6418328185fe45270f1f&node=pt2.1.200&rqn=div5>

2 CFR 1500:

<http://www.ecfr.gov/cgi-bin/text-idx?SID=ac772c78043ca73b46f5d168dd3f038f&tpl=/ecfrbrowse/Title02/2chapterXV.tpl>

OMB's FAQ:

<https://cfo.gov/wp-content/uploads/2014/11/2014-11-26-Frequently-Asked-Questions.pdf>

- **Interim Financial Assistance Conflict of Interest Policy:**

In accordance with the Omni-Circular's Conflict of Interest disclosure requirements under **2 CFR 200.112**, EPA issued the **Interim Financial Assistance Conflict of Interest Policy**. Requirements include applicants providing a prominently titled conflict of interest disclosure statement attached to the SF 424, if applicable. This policy applies to all individuals and non-federal entities requesting and receiving EPA financial assistance on or after **December 26, 2014**. (Note: A standard EPA form is not currently available for the COI disclosure requirement since this is an interim policy.)

Interim Policy:

http://www.epa.gov/ogd/epa_interim_financial_assistance_coi_policy.htm

- **Submission of Grant Applications via Grants.gov:**

Effective **February 17, 2015**, EPA grant applicants must use **Grants.gov** to submit their applications. It is highly recommended that EPA applicants complete their registration on Grants.gov now, since the entire process can take up to 30 days to complete. Information located at **Submitting an Application to Grants.gov Apply** and **Applicant Resources** for Grants.gov will help you get started. Applicants are also encouraged to view a previously recorded **EPA Information Webinar** session/ presentation regarding Grants.gov or register for an available session.

Grants.gov support/assistance is available 24 hours a day 7 days a week at 1-800-518-4726 or Support@grants.gov. For International callers, call (606) 545-5035 to speak with a Grants.gov Contact Center representative. Also, the **Region 9 Application Checklist** will help ensure your EPA application submitted through Grants.gov is complete.

Guide on Submitting an Application to Grants.gov:

<http://www.epa.gov/ogd/guide/submitting.htm>

Grants.gov Application Resources:

<http://www.grants.gov/web/grants/applicants/applicant-resources.html>

EPA Information Sessions/Webinars:

http://www.epa.gov/ogd/training/grants_gov_information_sessions_for_applicants.htm

Region 9 Application Checklist:

<http://www.epa.gov/region09/funding/pdfs/grantsgov/r9-application-checklist-grantsgov.pdf>

- **Bundling of Grant Application Certifications (for States & Tribes):**

State and Tribal applicants are highly encouraged to submit annually a single set ("bundling") of application certification forms with a cover letter. The letter must indicate the applicable timeframe (usually a federal or state fiscal year) of the certifications for all EPA grant applications received by Region 9 Grants Management Office (GMO) within that period. GMO accepts Adobe format (.pdf) of the letter with applicable signed certification(s) through the electronic mail box:

grantsregion9@epa.gov. Please note that updated forms must be submitted when changes to the responses are required. The following certifications can be bundled:

- ❖ Standard Form (SF) 424B, Assurances for Non-Construction Programs
- ❖ EPA Form 6600-06, Certification Regarding Lobbying, Certification for Contracts, Grants, Loans and Cooperative Agreements
- ❖ EPA Form 4700-4, Preaward Compliance Review Report for All Applicants Requesting EPA Financial Assistance

Applicants are highly encouraged to use bundling of their certifications if multiple EPA applications are submitted annually. Bundling can be especially helpful as EPA is transitioning to Grants.gov. Please contact your EPA Grants Specialist for questions regarding bundling.

EPA Application Forms:

<http://www.epa.gov/ogd/forms/forms.htm>

- **Changes to the Minority & Women Business Enterprise (M/WBE) Utilization Reporting Requirement:**

The EPA issued a revised class deviation from **40 CFR 33.502** on **December 4, 2014**, which supersedes the M/WBE reporting requirement specified in the recipient's Notice of Award. The EPA financial assistance recipients are now required to report annually when certain conditions are met to reach a threshold of \$150,000. Please review the current information from **EPA's Small Business Programs**.

40 CFR 33:

[http://www.ecfr.gov/cgi-bin/text-](http://www.ecfr.gov/cgi-bin/text-idx?SID=04eada1fb1292e21ecf2434ad7bf3781&tpl=/ecfrbrowse/Title40/40cfr33_main_02.tpl)

[idx?SID=04eada1fb1292e21ecf2434ad7bf3781&tpl=/ecfrbrowse/Title40/40cfr33_main_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?SID=04eada1fb1292e21ecf2434ad7bf3781&tpl=/ecfrbrowse/Title40/40cfr33_main_02.tpl)

EPA's Small Business Programs:

http://www.epa.gov/osbp/dbe_reporting.htm

- **Grants Management Training Materials for Tribal Organizations:**

The EPA's Office of Grants and Debarment (OGD) worked with the national Partnership for Environmental Technology Education (NPETE) to develop **training materials for Tribal organizations**. While OGD is no longer able to offer in-person trainings, the training materials, including the training manuals and webinar recordings, are available for download.

Recipient Training:

http://www.epa.gov/ogd/training/recipient_train.htm